IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1385 of 2006

RADHAKRISHNA DAS
V/S
LAXMAN DEVASTHAN NIDHI,DOONGRPUR & ORS.

Mr. SURESH SHRIMALI, for the appellant / petitioner

Date of Order : 14.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner, perused the impugned order.

In the impugned order itself, the learned trial Court has held that so far the plaintiff has not filed any written-statement, and therefore, the application is dismissed at this stage with a direction to first file written-statement, wherein he may raise all objections, whereupon the issues will be framed, and the question will be decided. In my view, this order does not require any interference. The writ petition is, therefore, dismissed summarily. However, it is observed that since the written-statement has already been filed, the learned trial Court obviously will decide the question of court fees first.

(N P GUPTA),J.

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